

CHAPTER XCIX.

An act to regulate the practice of osteopathy in the State of California, and to provide for a state board of osteopathic examiners, and to license osteopaths to practice in this state, and punish persons violating the provisions of this act.

[Became a law under constitutional provision without Governor's approval, March 9, 1901.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. That any person practicing osteopathy in this state shall possess the qualifications required by this act.

SEC. 2. The Osteopathic Association of the State of California, incorporated under the laws of the State of California, shall appoint a board of examiners as soon as possible after the passage of this act, to be known as the state board of osteopathic examiners. This board shall consist of five (5) qualified practicing resident osteopaths, each of whom shall be a graduate of a legally authorized college of osteopathy. Each member of said board shall serve thereon for a term of two years, and until his successor is appointed, except in case of the first board, on which two (2) members shall serve for two (2) years, and three (3) for three years, as specified in their appointment. In case of a vacancy by death or otherwise, there shall be appointed in like manner a person to serve through such unexpired term.

SEC. 3. Said board of osteopathic examiners shall elect a president, secretary, and treasurer, and shall have a common seal, and its president and secretary shall have power to administer oaths. Said board shall hold meetings for examination at the state capitol, or at some regularly conducted and legally authorized college of osteopathy, within the state, on the third Tuesday of February and July of each year, and such other meetings as may be deemed necessary, each session thereof not to exceed three days, and shall issue a certificate of qualification to all applicants having a diploma, or who pass the required examinations, as provided by section four (4) of this act; said certificate shall be signed by the president and secretary of said board, and attested by its seal, and shall be conclusive as to the rights of the lawful holder of the same to practice osteopathy in this state. Said board shall keep a register of applicants.

record of all its proceedings, and also a register of all applicants for a license, together with his or her name and age and time spent in the study and practice of osteopathy, and of the name and location of the college of osteopathy from which said applicant holds a diploma, and shall keep a register which shall show the names of all applicants licensed, or that are rejected under this act.

SEC. 4. It shall be unlawful for any person to practice osteopathy in this state without a license from said board. All persons practicing osteopathy within this state prior to the passage of this act and holding a diploma from a legally authorized college of osteopathy, of good repute, may be licensed to practice osteopathy in this state, by submitting to said board of osteopathic examiners such a diploma, and satisfying such board that they are the legal holders thereof, or by undergoing an individual examination in the following branches, to wit: Anatomy, physiology, chemistry, histology, pathology, gynecology, obstetrics, and theory and practice of osteopathy, and such other branches as the board shall deem advisable. All persons, after August first, nineteen hundred and one, desiring to commence the practice of osteopathy in this state, shall apply to said board for a license to do so, and such applicant at the time and place designated by said board, or at a regular meeting of said board, shall submit a diploma from a legally incorporated college of osteopathy, recognized by the board of examiners. Having complied with the requirements of this act, said board shall grant a license to such applicant to practice osteopathy in the State of California, which license shall be granted by the consent of not less than three members of said board and attested by the seal thereof. For the support and maintenance of said board the fee for such examination and license shall be ten (\$10) dollars, not returnable, which shall be paid in advance to the treasurer of said board, and shall be applied by said board to defray all the expenses thereof.

SEC. 5. The certificate provided for in section four (4) of this act shall not authorize the holder thereof to prescribe or use drugs, nor to perform major surgery.

SEC. 6. The person receiving said license shall have it recorded in the office of the county clerk of the county in which he or she intends to practice, and the record shall be endorsed thereon. In case a person so licensed shall remove to another county to practice, the holder shall record his license in like manner in the county to which he or she removes.

SEC. 7. Any person practicing osteopathy within the state without first having obtained the license herein provided for, or contrary to the provisions of this act, or who, for the purpose of obtaining such license, shall falsely represent himself or herself to be the holder of a diploma as herein provided, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (\$50) dollars, nor more than one hundred (\$100) dollars, or by imprisonment in the county jail for a period of not more than ninety days for each and every such offense.

license to practice.

studies for examination.

Fee.

Certificate does not authorize.

License to be recorded.

Penalty for practicing without license.

SEC. 8. Any such certificate may be revoked by said board upon satisfactory proof of fraud or misrepresentation in procuring the same, or for any violation of the provisions of the certificate, or any gross immorality by the holder thereof.

SEC. 9. The system, method, and science of treating diseases of the human body, commonly known as osteopathy, is hereby declared not to be the practice of medicine or surgery, within the meaning of an act entitled "An act to regulate the practice of medicine in the State of California," approved April third, eighteen hundred and seventy-six, or any of the acts amendatory thereof.

SEC. 10. This act shall take effect and be in force from and after its passage.

Board may
revoke
certificate.

Oste-
opathy not
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